

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

-----x	:	
LINDA BORAN	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No.
	:	3:06CV00228 (AWT)
COLUMBIA CREDIT SERVICES, INC.,	:	
MICHAEL SALBACH, NATIONAL CREDIT	:	
ACCEPTANCE, INC.,	:	
	:	
Defendants.	:	
	:	
-----x	:	

ORDER RE MOTION FOR RECONSIDERATION

For the reasons set forth below, the plaintiff's motion for reconsideration is being granted.

On April 22, 2006, the plaintiff filed a Motion for Payment of Costs and Service (Doc. No. 8) seeking \$177.13 for the cost of effecting service and \$350 for attorney's fees. The court granted the motion as to the cost of effecting service, but denied the motion as to the attorney's fees because it concluded that the plaintiff's motion was not "required to collect the costs of service." Fed. R. Civ. P. 4(d)(5) (emphasis added).

In connection with her motion for reconsideration, the plaintiff represented that as of June 8, 2006 the defendants had not paid anything to her. The defendants noted in their Memorandum in Opposition to Motion for Reconsideration (Doc. No. 17), which is dated June 21, 2006, that they had mailed the plaintiff the sum of \$177.13, as required by the court's order dated June 6, 2006. The original demand for payment was made by the plaintiff on April 19,

2006, so the defendants let more than seven weeks pass without paying costs of service they were required to pay under Fed. R. Civ. P. 4(d)(2). The reason the court denied the request pursuant to Rule 4(d)(5) for \$350 in attorney's fees was that the defendants were given an unreasonably short, unilaterally imposed deadline, and thus, in the court's view, the plaintiff had not shown that her motion was required to collect the costs of service. In view of the fact that the defendants did not pay the costs of service within a reasonable amount of time after the demand for payment, and in fact only paid the costs of service after the court ordered the defendants to do so, the court now concludes that the plaintiff's motion was required to collect the costs of service.

Accordingly, the plaintiff's Motion for Reconsideration (Doc. No. 15) is hereby GRANTED. That portion of the court's June 6, 2006 order that denied the plaintiff's request for \$350 in attorney's fees is hereby VACATED, and the plaintiff's request for \$350 in attorney's fees is hereby GRANTED. The defendants are ordered to forward to the plaintiff's counsel, within ten days, \$350 for attorney's fees.

It is so ordered.

Dated this 8th day of September 2006 at Hartford, Connecticut.

/s/AWT
Alvin W. Thompson
United States District Judge